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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,220	07/20/1999	YOSHIKAZU OCHI	450100-4991	8900
20999	7590	12/17/2004	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			TRAN, NHAN T	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/357,220

Applicant(s)

OOCHI, YOSHIKAZU

Examiner

Nhan T. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glenn (US 5,978,023) in view of Inuiya (US 6,222,986).

Regarding claim 1, Glenn discloses a video camera apparatus comprising:

a solid image sensor having an electronic shutter (e.g., operating at 1/60 second exposure), for outputting an image sensing in a progressive scan mode as shown in col. 7, lines 45-53;

a drive control means for controlling the electronic shutter of the solid image sensor at a field cycle of a standard television system (1/60 second) used as a basic cycle, thereby to output the image sensing signal from the solid image sensor in the progressive scan mode (see col. 7, lines 45-53).

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Glenn fails to teach a state that is provided for storing still pictures according to the progressive scan mode, and whereby when storing of a still picture according to the progressive scan mode is performed, the image information corresponding to the still picture is stored in a record medium such that upon playback of the still image information from said record medium the still picture will be displayed for a predetermined period of time.

Inuiya teaches a digital video still camera that is capable to capture a still image in progressive scan mode (non-interlace scan mode) and also capture video images in an interlaced scan mode (col. 2, lines 10-14). In response to still picture shutter 43 during movie recording mode, a high quality still picture is recorded onto a frame buffer 22 and then onto digital magnetic tape 8 such that upon playback of the still picture from the digital magnetic tape, the still picture is displayed for a fixed period of time (see col. 17, lines 25-59 and col. 19, lines 49-55). The teaching of Inuiya is to obtain still pictures having a high picture quality while maintaining compatibility with existing standard of digital video tape recorder (see col. 2, lines 15-20).

Therefore, it would have been obvious to one of ordinary skill in the art to modify the video camera in Glen by enabling a still picture capturing operation in progressive scan mode for the user to record a high quality still picture onto a recording medium in response to the still picture shutter as taught by Inuiya such that upon playback of the still picture from the recording medium, the still picture is displayed for a fixed period of time so as to obtain still pictures having high quality while maintaining compatibility with existing standard of digital video tape recorder.

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Regarding claim 2, see the analysis of claim 1.

Regarding claim 3, see the analysis of claim 1. Additionally, Glenn shows in col. 7, lines 45-53 that both interlace and progressive scan modes are driven at shutter speed of 1/60 second. It should be noted that conventional shutter speed of interlace scan is 1/60 second.

Regarding claim 4, see the analyses of claims 1 & 3.

Regarding claims 5 & 6, see the analysis of claim 1. Furthermore, it is clear that since the digital video magnetic tape can only record images under interlace format of 350,000 pixels. The high quality still picture of 1,400,000 pixels captured by the CCD that is buffered in the frame buffer 22 is converted into interlace format by portioning into four interlace frames of 350,000 pixels (see Inuiya Figs. 8, 11 and col. 17, lines 36-59). Therefore, the scan converter for converting the image sensing signal based on progressive scanning into an interlace scan signal is also met at the processing step for recording the image data onto the tape.

Regarding claims 7 & 8, see the analysis of claims 3 & 5.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

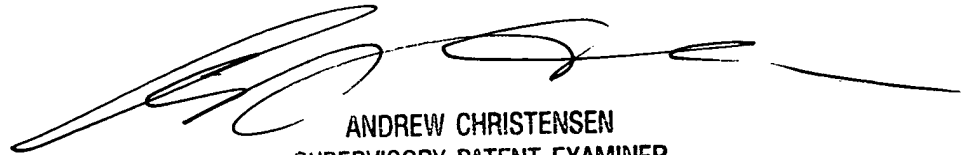
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhan T. Tran whose telephone number is (703) 605-4246. The examiner can normally be reached on Monday - Thursday, 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NT.

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ANDREW CHRISTENSEN
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